PATENT   Atty Docket No.: 200313958-1
                                                             App. Scr. No.: 10/697,688

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the

claim amendments and following remarks. Claims 4 and 22 were previously canceled

without prejudice or disclaimer of the subject matter contained therein. Claims 1-3, 5-21,

and 23-34 are pending, of which claims 1, 9, 17, 25 and 30 are independent.

Claims 1-3, 5-21, and 23-34 were rejected under U.S.C. §103(a) as allegedly being

unpatentable over Orr et al. (5,808,916) in view of Hsiung et al. (20030144746).

The above rejection is respectfully traversed for at least the following reasons.

Claim Rejection Under 35 U.S.C. §103

The test for determining if a claim is rendered obvious by one or more references for

purposes of a rejection under 35 U.S.C. § 103 is set forth in *KSR International Co. v. Teleflex

Inc.*, 550 U.S.__, 82 USPQ2d 1385 (2007):

> "Under §103, the scope and content of the prior art are to be determined;
> differences between the prior art and the claims at issue are to be ascertained;
> and the level of ordinary skill in the pertinent art resolved. Against this
> background the obviousness or nonobviousness of the subject matter is
> determined. Such secondary considerations as commercial success, long felt
> but unsolved needs, failure of others, etc., might be utilized to give light to the
> circumstances surrounding the origin of the subject matter sought to be
> patented." Quoting *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1
> (1966).

As set forth in MPEP 2143.03, to ascertain the differences between the prior art and

the claims at issue, "[a]ll claim limitations must be considered" because "all words in a claim

must be considered in judging the patentability of that claim against the prior art." *In re

Wilson*, 424 F.2d 1382, 1385. According to the Examination Guidelines for Determining

Obviousness Under 35 U.S.C. 103 in view of *KSR International Co. v. Teleflex Inc.*, Federal

11

PATENT   Atty Docket No.: 200313958-1
                                                        App. Ser. No.: 10/697,688

Register, Vol. 72, No. 195, 57526, 57529 (October 10, 2007), once the *Graham* factual

inquiries are resolved, there must be a determination of whether the claimed invention would

have been obvious to one of ordinary skill in the art based on any one of the following proper

rationales:

> (A) Combining prior art elements according to known methods to yield predictable
> results; (B) Simple substitution of one known element for another to obtain
> predictable results; (C) Use of known technique to improve similar devices (methods,
> or products) in the same way; (D) Applying a known technique to a known device
> (method, or product) ready for improvement to yield predictable results; (E)
> "Obvious to try"—choosing from a finite number of identified, predictable solutions,
> with a reasonable expectation of success; (F) Known work in one field of endeavor
> may prompt variations of it for use in either the same field or a different one based on
> design incentives or other market forces if the variations would have been predictable
> to one of ordinary skill in the art; (G) Some teaching, suggestion, or motivation in the
> prior art that would have led one of ordinary skill to modify the prior art reference or
> to combine prior art reference teachings to arrive at the claimed invention. *KSR
> International Co. v. Teleflex Inc.*, 550 U.S.__, 82 USPQ2d 1385 (2007).

Furthermore, as set forth in *KSR International Co. v. Teleflex Inc.*, quoting from *In re

Kahn*, 441 F. 3d 977, 988 (CA Fed. 2006), "[R]ejections on obviousness grounds cannot be

sustained by mere conclusory statements; instead, there must be some articulated reasonings

with some rational underpinning to support the legal conclusion of obviousness."

Therefore, if the above-identified criteria and rationales are not met, then the cited

reference(s) fails to render obvious the claimed invention and, thus, the claimed invention is

distinguishable over the cited reference(s).

Claims 1-3, 5-21, and 23-34 were rejected under U.S.C. §103(a) as allegedly being

unpatentable over Orr et al. (5,808,916) in view of Hsiung et al. (20030144746).

Independent Claims 1, 9, 17, 25, and 30

12

PATENT

   The Office Action admitted that Orr et al. does not disclose the following claimed

features:

> "determining a location in an electronic spreadsheet for placing at least a
> portion of the data, wherein the determined spreadsheet location is based on
> the determined geographical location of the data source;
>   inserting the data portion in the electronic spreadsheet at the
> determined spreadsheet location; and
>   displaying the electronic spreadsheet to a user, wherein the electronic
> spreadsheet indicates the geographical location of the data source from a
> display of the data portion inserted at the determined location."

However, the Office Action alleged that such features are taught by Hsiung et al. because at

its paragraphs [363]–[365],

> "Hsiung teaches sensors may be described by a naming convention that makes them
> easy to identify. Hsiung also teaches a function may be provides [sic] which enables
> the Model Builder to associate a sensor with a column of data in the spreadsheet.
> Using the broadest interpretation, the Examiner concludes that the naming convention
> to identify the sensors could include but not be limited to the geographical location of
> the sensor."

   It is respectfully submitted that the Office Action did not resolve the factual inquiries

as required by *Graham v. John Deere Co. of Kansas City* noted above. Namely, the Office Action

failed to properly ascertain the differences between the alleged prior art, Hsiung et al., and

the aforementioned features in independent claims 1, 9, 17, 25, and 30. As noted above,

ironically, the Office Action insisted on "using the *broadest* possible reasonable

interpretation" (emphasis added) of Hsiung et al. to reject the *specific* features of the claimed

invention. This is akin to, for example, citing a "vehicle" to reject a claimed "space shuttle"

just because the "space shuttle" is also a vehicle. Thus, it is respectfully submitted that the

Examiner cannot employ the "broadest reasonable interpretation" of any reference to further

add specific features in the reference that are not even taught or suggested by the reference,

especially when such added features are particular to the claimed invention. To do so would

<div align="center">13</div>

amount to an improper reading of such a reference and improper hindsight. Furthermore, it

is not clear how the naming of a sensor to reflect its geographical location is supposed to

teach one skilled in the art to place data from such a sensor in a spreadsheet location that is

previously determined to correspond with the geographical location of the sensor as claimed.

Indeed, it is respectfully submitted that Hsiung et al. clearly states in paragraph

[0365] that,

> Model Builders may also select the source of the training data. Training data can
> come from a real-time data server, a historical data server, or from a Microsoft Excel
> spreadsheet. Model Builders may specify the location of the training data for each
> sensor or model that is used as input to the model. If training data is being imported
> from an Excel spreadsheet, *data fields from the spreadsheet may be mapped to the
> appropriate sensor.* A function may be provided which enables the Model Builder to
> associate a sensor with a column of data in the spreadsheet. (Emphasis added).

Thus, the Model Builders may specify the location of the training data, e.g., as

imported from an Excel spreadsheet, for each sensor by mapping such data from the

spreadsheet to the appropriate sensor. In contrast, independent Claims 1, 9, 17, 25 and 30

recite the reverse, i.e., "determining [or identifying] a geographical location of the data

source [or sensor]" and then

> determining [or designating] a location in an electronic spreadsheet for placing at
> least a portion of the data *based on the determined geographical location of the data
> source;* (emphasis added).

Consequently, as claimed, a display of the data portion at *a* determined location in the

spreadsheet provides *indication of the geographical location of the data source.* In other

words, these claims recite a mapping *from* a geographical location of the data source *to* a

location in a spreadsheet *based on* the *geographical location* of the data source. For

example, as illustrated in FIGs. 3A and 5, the data center 300 may be divided into four

geographical sections, 350-353 (FIG. 3A). Because the labeled temperature sensors 320a-f

are located in the upper left section 350, their data are mapped to the upper left cells B2, C2, D2, B3, C3, and D3 of the spreadsheet illustrated in FIG. 5. Thus, the data mapping to the spreadsheet is based on the determined geographical location of the sensors 320a-f, and a user viewing the spreadsheet is able to ascertain from the data in the upper left cells in the spreadsheet that there are sensors located in the upper left section 350 of the data center 300. The same can be seen for sensors 320 in the upper right section 351 (FIG. 3A), which correspond to data found in the upper right cells H2, I2, J2, H3, I3, and J3, and so on. Accordingly, the claimed mapping is in reverse to the data mapping in Hsiung et al., which involves mapping of training data from a spreadsheet to import *into* (not out of) the sensors. Also, the claimed mapping is done based on the determined geographical location of the data source, which Hsiung et al. completely disregards when it initially enters the training data into the spreadsheet, before such training data is sent out the sensors.

Although Hsiung et al. states that "a function may be provided which enables the Model Builder to associate a sensor with a column of data in the spreadsheet," this association is only done *after* the data has been placed in the spreadsheet. In other words, such an association between a data column in the spreadsheet and the sensor was not determined prior to allowing such data to be *initially* placed at a particular location in the spreadsheet *based on* the geographical location of the sensor. Consequently, Hsiung et al. is not at all concerned about placing data in proper locations in a spreadsheet, where those spreadsheet locations are used to actually indicate actual geographical location of the data sources, because any subsequent correlation between a cell data in the spreadsheet with a particular sensor is done after the data has been placed in the cell. Thus, the placement of data in a cell is not at all based on the data source from which such data originated.

15

PATENT   Atty Docket No.: 200313958-1
                                                             App. Ser. No.: 10/697,688

Accordingly, because the Examiner failed to establish a *prima facie* case of

obviousness against the pending claims, it is respectfully submitted that Claims 1-3, 5-21,

and 23-34 are allowable and withdrawal of the rejection of these claims is respectfully
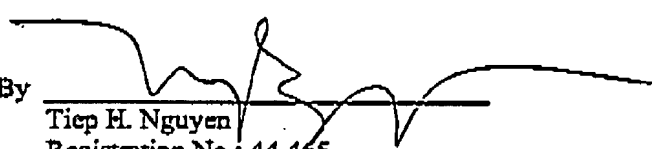
requested.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this

application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would

assist in resolving any issues pertaining to the allowability of the above-identified

application, please contact the undersigned at the telephone number listed below. Please

grant any required extensions of time and charge any fees due in connection with this request

to deposit account no. 08-2025.

                                        Respectfully submitted,

Dated: December 6, 2007   By _____
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                                        16